IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.19758 of 2008
SHYAMDEO PRASAD @ MATHURA PRASAD
Versus

STATE OF BIHAR
- - - -

3. 30.7.2008 Heard.

This is the prayer for regular bail in a case under Sections 465,467,471,419 and 420 of the Indian Penal Code. The petitioner at the relevant time was the Mukhiya of a particular Panchayat in which the process was on for recruiting Siksha Mitra. As appears from the relevant documents which are available on the record and which have been received from the District Superintendent of Education, Patna, as many as 137 applications were received but only 18 applications were processed and 119 were rejected. The allegation is that the rejection was on the ground that the applications were not accompanied by the relevant documents as regards the qualifications, age, etc. as fixed down by the instructions in that behalf. The enquiry report indicates that it was this petitioner and the panchayat Secretary who removed all the relevant documents submitted

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with the respective applications of the applicants so as to manipulating the appointment so much so that the persons of lesser merits were put into the list prepared for appointing Shiksha Mitra. The further allegation is that some interpolations were also done by the petitioner and his Panchayat Secretary(Panchayat Sevak) by tampering some of the important documents of the applicants whose applications were ultimately rejected. These facts are apparent from the documents which have been received pursuant to the direction of this Court by order dated 21.5.2008 during the course of hearing of this petition.

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Regard being had to the allegation and the report which is the basis of the objective findings of the Enquiring Officer, I do not feel inclined to direct release of the petitioner on bail.

The petition is dismissed.

Kanth

(Dharnidhar Jha, J.)